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Emma Rodriguez Suarez

Date of Birth [REDACTED] 1969

Vocational Evaluation and Transferable Skills Analysis

## OVERVIEW

**BACKGROUND:** Ms. Emma Rodriguez Suarez was referred to Amy Leopold by Riemer & Associates, LLC for a vocational evaluation and transferable skills analysis in order to determine her ability to work in any occupation in the national economy based on her education, training and experience. This Consultant will address Dr. Rodriguez Suarez's current employability status as it relates to her overall restrictions and limitations due to seronegative myasthenia and idiopathic intracranial hypertension, as well as other conditions, including blindness in her left eye, Barrett's Esophagus, pseudotumor cerebri headaches, cluster headaches, pernicious anemia, thyroid problems, lupus and fibromyalgia.

This Consultant had the opportunity to speak with Dr. Rodriguez Suarez at length on December 11, 2014 to conduct this evaluation. Dr. Rodriguez Suarez sounded her stated age, however, her fatigue and inability to concentrate and remember words was evident to this Consultant as the conversation progressed. She was unable to complete our scheduled appointment due to her fatigue and inability to focus on the questions being asked, and therefore, this Consultant asked that she follow-up by email.

Dr. Rodriguez Suarez was most recently employed as an Assistant Professor, Teaching and Leadership/Music Education at Syracuse University. Dr. Rodriguez Suarez's last day of work was January 30, 2010. By letter dated January 11, 2011, The Standard approved Dr. Rodriguez Suarez's long-term disability ("LTD") claim under the own occupation definition of disability. However, the Standard subsequently denied Dr. Rodriguez Suarez's claim for LTD based on the any occupation definition of disability. Dr. Rodriguez Suarez appealed this decision through her attorneys, Satter & Andrews, LLP, on or about May 31, 2013. By letter dated August 29, 2013, The Standard affirmed its decision to terminate Dr. Rodriguez Suarez's LTD benefits.

**SIGNIFICANT MEDICAL INFORMATION:** For the purpose of this evaluation the following documents were provided:

- Medical Records from Frederick J. Nahm, MD, Ph.D.
- Medical Records from Thomas J. Romano, MD
- Medical Records from Paul S. Cohen, MD
- Medical Records from Christopher Edelmann, MD
- Medical Records from Lyell K. Jones, Neurology
- Medical Records from the Mayo Clinic
- Medical Records from Richard L. Danehower, MD
- Medical Records from Judith Goldberg-Berman, MD

- Medical Source Statement from Dr. Linus S. Abrams, Psychiatrist
- Medical Records from Brian Grosberg, MD
- Medical Records from Sami Abdul-Malak, MD
- Medical Records from Johns Hopkins

In addition, the following documents relating to Dr. Rodriguez Suarez's submissions to The Standard were provided:

- Letter from The Standard dated January 11, 2011.
- Satter & Andrews, LLP Appeal Letter dated May 31, 2013.
- Letter from The Standard dated August 29, 2013.
- Own Occupation Review completed by Natalie Jurczenko, Vocational Case Manager
- Transferable Skills Analysis and Any Occupation Review completed by Jack Reynolds, MS, CRC

## **MEDICAL HISTORY**

Dr. Rodriguez Suarez experiences significant symptoms as a result of her seronegative myasthenia gravis, including dysphagia, fatigue, muscle weakness, diarrhea, weight loss, difficulty swallowing, dizzy spells, unsteady gait, shortness of breath, confusion, urine incontinence and eye lid droopiness. Dr. Rodriguez Suarez has also been diagnosed with intracranial hypertension, blindness in her left eye, Barrett's Esophagus, pseudotumor cerebri headaches, cluster headaches, pernicious anemia, thyroid problems, lupus and fibromyalgia.

In 1992, Dr. Rodriguez Suarez was diagnosed with idiopathic intracranial hypertension, which was treated surgically with a left optic nerve sheath fenestration, a lumboperitoneal shunt, and a ventriculoperitoneal shunt. Dr. Rodriguez Suarez had several surgeries due to the idiopathic intracranial hypertension but was able to return to work.

In January 2010, Dr. Rodriguez Suarez began to experience increased and severe physical symptoms including shortness of breath and difficulty swallowing.

Dr. Rodriguez Suarez currently sees the following physicians for ongoing treatment and medication management:

- Christopher Edelmann, MD (internist)
- Brian M. Grosberg, MD (neurologist, headache clinic center)
- Linus S. Abrams, MD, FAPA (clinical psychiatrist)
- Michael Kazim, MD (neuro-ophthalmologist)
- Johns Hopkins Hospital:
  - Aruna Rao (neurologist)
  - Danielle Rigamonti (neurosurgeon)

In addition, Dr. Rodriguez Suarez's medications include:

- Mestinon (Pyridostigmine), 60 mg., every three hours for seronegative myasthenia gravis
- Topamax, 300 mg. for BIH
- Carafate, 1 mg. for cluster headaches
- Indomethacin, 75 mg. for cluster headaches
- Melatonin, 12-15 mg. for cluster headaches
- Metamucil, 0.21 oz.
- B-12 Gummies, 1,000 mcg. for pernicious anemia
- Zofran, 4 mg. as needed for nausea
- Immitrex (oral), 100 mg. as needed for cluster headaches
- Immitrex (injectors), 4 mg. as needed for cluster headaches
- Fioricet (Butalbital), 40 mg. as needed for BIH (headaches)
- Anusol-HC (Hydrocortisone Cream USP), 20.5% as needed for hemorrhoids
- Senna, 2 pills, twice a day
- Colace, twice a day
- MiraLax, once a day
- Lidocane 2.5% and Prilocaine 2.5% cream as needed for incision pain

Dr. Rodriguez Suarez experiences ongoing side effects from her medications, including increased fatigue and cognitive difficulties.

By letter dated May 15, 2012, Dr. Frederick Nahm concluded that Dr. Rodriguez Suarez has active neurological issues and will continue to be on disability for the foreseeable future.

By affidavit dated May 14, 2013, Dr. Nahm confirmed that Dr. Rodriguez Suarez has a complex medical history with symptoms that include upper and lower extremity weakness, unremitting fatigue, difficulty chewing and swallowing, shortness of breath, headaches, and severe diarrhea, nausea and vomiting. Dr. Nahm noted that seronegative myasthenia gravis is sometimes difficult to establish, but indicated that the following symptoms, which Dr. Rodriguez Suarez has, are highly suggestive of seronegative myasthenia gravis: weakness (more on the left), difficulty swallowing, wasting, antalgic gate, sensory deficits in her hands and feet, and urinary incontinence. Further, Dr. Rodriguez Suarez experienced some improvement when she was treated with Mestinon (pyridostigmine bromide), which is a confirmed treatment for myasthenia gravis. Dr. Nahm confirmed that Dr. Rodriguez Suarez experiences severe limitations as a result of her condition. Specifically, the weakness and fatigue alone that Dr. Rodriguez Suarez experiences would prevent her from working. Dr. Rodriguez Suarez takes two daily naps during typical working hours, about an hour long each. Further, Dr. Rodriguez Suarez experiences exacerbations that leave her unable to get out of bed for an entire day or more, on a regular basis, as often as 10+ days per month. Dr. Nahm confirmed that Dr. Rodriguez Suarez is unsteady on her feet, must use a cane, and has fallen several times a month. She is unable to work at a computer for even a half an hour before she becomes exhausted and needs to lie down. Dr. Nahm concluded that Dr. Rodriguez Suarez is

totally unable to work and that even supported employment would not be possible at this time.

Dr. Linus S. Abrams, psychiatrist, submitted an undated medical source statement in support of Dr. Rodriguez Suarez's appeal of the termination of her LTD benefits. Dr. Abrams noted that whenever a patient presents with a complicated medical situation that is some part based on subjective reports, a psychiatrist must be mindful of the possibility that the symptoms are not genuine. However, Dr. Abrams indicated that having known Dr. Rodriguez Suarez since May 2011, and based upon his own clinical observations of her, he has concluded that her symptoms are genuinely the result of zero-negative myasthenia gravis and brain disease due to so-called benign intracranial hypertension. Dr. Abrams further noted that while there may be some disagreement among Dr. Rodriguez Suarez's treating physicians as to her precise diagnosis, to his knowledge none of her physicians have suggested that she is not experiencing the symptoms she has described. Dr. Abrams reports Dr. Rodriguez Suarez suffers from multiple symptoms including intermittent difficulty swallowing, intermittent diarrhea, intermittent nausea, chronic fatigue, occasional shortness of breath associated with severe headaches consistent with cluster headaches, and upper extremity weakness. These symptoms are severe enough that they would rule out any type of regular employment.

Dr. Christopher Edelmann, MD provided an affidavit dated April 4, 2013 in support of Dr. Rodriguez Suarez's claim for LTD benefits. Dr. Edelmann noted that he has treated Dr. Rodriguez Suarez for over a decade. Dr. Edelmann confirmed Dr. Rodriguez Suarez's diagnoses of myasthenia gravis, including its related symptoms. Dr. Edelmann explained that myasthenia gravis is a condition where the body's immune system fights its own body, causing problems with the nerves that provide communication to the muscles resulting in muscle weakness and fatigue. Dr. Edelmann confirmed Dr. Rodriguez Suarez's additional diagnoses, which include benign intracranial hypertension (pseudotumor cerebri), blindness in her left eye, fibromyalgia, cluster headaches, pernicious anemia, Barrett's esophagus, and multi nodular goiter.

Dr. Edelmann confirmed that approximately 20% of persons suffering from myasthenia gravis could not be identified through the presence of acetylcholine receptor antibodies, such that they have seronegative myasthenia gravis. In addition, many patients do not have the presence of muscle specific kinase antibodies. While Dr. Rodriguez Suarez does not have these antibodies, Dr. Edelmann reports that it is clear from a clinical perspective that she suffers from myasthenia gravis.

Dr. Edelmann further commented on Dr. Rodriguez Suarez's severe limitations as a result of her conditions. Specifically, the weakness and fatigue that Dr. Rodriguez Suarez suffers renders her totally disabled. Dr. Rodriguez Suarez continues to suffer from flares in her condition that leave her bedridden as many as 12 days a month but never less than 4. Dr. Edelmann opined that were Dr. Rodriguez Suarez to attempt a full day of work, she would inevitably have a flare the next day. Dr. Rodriguez Suarez is generally unable to climb steps, though she could do a few very slowly with great effort and resulting exhaustion. Dr. Rodriguez Suarez is unable to drive due to weakness in her left arm. Dr.

Rodriguez Suarez cannot lift her arms over her head to the point that she cannot brush her own hair. Further, Dr. Rodriguez Suarez cannot stand for long periods of time. Dr. Rodriguez Suarez cannot work at a computer for more than 15-20 minutes. Dr. Rodriguez Suarez ambulates with a cane due to her unsteadiness and has fallen a few times a month. Finally, Dr. Rodriguez Suarez's headaches have been more frequent and worse.

Notably, Dr. Edelman previously provided an affidavit in September 2010 confirming that Dr. Rodriguez Suarez has been disabled from working at least since the beginning of February 2010. Further, given the degree of her symptoms and limitations, Dr. Rodriguez Suarez would be unable to perform even sedentary, part-time work.

Dr. Brian M. Grosberg, Neurologist, submitted a Medical Source Statement dated May 28, 2013 wherein he confirmed that he has treated Dr. Rodriguez Suarez for cluster headaches. Dr. Grosberg noted that Dr. Rodriguez Suarez has been diagnosed with two types of headaches: pseudo tumor cerebri and cluster headaches that can affect Dr. Rodriguez Suarez anywhere for 10 to 20 days per month and range from moderate to severe. Dr. Grosberg confirmed that Dr. Rodriguez Suarez's prognosis is guarded and that the cluster headaches produce severe spear-like pain, lacrimation, rhinorrhea, and other symptoms. Dr. Rodriguez Suarez suffers from cluster headaches frequently affecting her from 4-7 days per month. When suffering from a cluster headache, Dr. Rodriguez Suarez would be unable to focus on even simple work tasks. These cluster headaches leave Dr. Rodriguez Suarez exhausted and unable to concentrate for several hours after the attack.

Linda Herman Land, MSW, LCSW drafted an undated letter wherein she confirmed that she had treated Dr. Rodriguez Suarez since January 2008 for an issue that is unrelated to her claim for LTD benefits. Ms. Land noted that in January 2010, Dr. Rodriguez Suarez reported sudden symptoms that included difficulties walking, talking, swallowing and breathing. It became impossible to meet for sessions. Ms. Land noted that several hospitalizations led to perplexing diagnoses, but the indicators seemed to be pointing toward myasthenia gravis. Ms. Land noted Dr. Rodriguez Suarez's muscular weakness and weight loss. Ms. Land noted that in the two years she had known Dr. Rodriguez Suarez prior to January 2010, she was indefatigable and that she brought tremendous energy and enthusiasm to her work and relationships.

From December 2013 to August 2014, Dr. Rodriguez Suarez underwent workups at Johns Hopkins Hospital in hopes of getting better. In October 2014, Dr. Rodriguez Suarez most recently had a ventriculoperitoneal shunt revision and valve change at Johns Hopkins Hospital.

Dr. Rodriguez Suarez reports that her symptoms have continued to worsen. Dr. Rodriguez Suarez experiences constant and severe headaches, including intracranial and cluster headaches. She continues to require the use of a cane to ambulate. She continues to be monitored by her doctors.



## **FUNCTIONAL STATUS/ACTIVITIES OF DAILY LIVING**

Dr. Rodriguez Suarez is unable to perform any activities of daily living on her own, including shopping and cleaning. Dr. Rodriguez Suarez has hired a cleaner for her home weekly. Dr. Rodriguez Suarez's husband works from home and the one day a week he is out, a friend comes in to spend the day with her.

Dr. Rodriguez Suarez is unable to drive and has not driven since 2010 due to extreme weakness on her left side and arm. Dr. Rodriguez Suarez lost control of the wheel once and has not driven since. Dr. Rodriguez Suarez has a disabled parking permit for others who drive her car since she cannot walk for prolonged periods.

Dr. Rodriguez Suarez always uses a cane to ambulate. A walker has been suggested, but she wants to stay with the cane as long as possible. Since 2010, falling has become an issue as well for Dr. Rodriguez Suarez as a result of her muscle weakness and fatigue.

Dr. Rodriguez Suarez reports that she suffers from severe and debilitating headaches that leave her unable to function or even get out of bed. Dr. Rodriguez Suarez has difficulty finding words, which was evident during our telephone contact. Dr. Rodriguez Suarez becomes easily confused and can only read for short periods of time. Similarly, Dr. Rodriguez Suarez can only use the computer and keyboard for very brief periods.

Dr. Rodriguez Suarez finds that books are too heavy to hold so now she listens to books and listens to music. Dr. Rodriguez Suarez is fluent in Spanish and English, and plays several instruments. Dr. Rodriguez Suarez is no longer able to play instruments due to her left hand restrictions.

Dr. Rodriguez Suarez no longer exercises and is unable to complete any physical therapy. Dr. Rodriguez Suarez reports that she can sleep fifteen to sixteen hours a day and has to wake herself up to take her medications.

Dr. Rodriguez Suarez lost twenty-five pounds since her October 15, 2014 shunt revision. The revision involved the insertion of a new valve and antisiphon device.

Dr. Rodriguez Suarez is currently engaging in individual counseling to help her deal with the stress of her severe medical conditions and the impact they have had on her life.

## **FAMILY/FINANCIAL STATUS**

Dr. Rodriguez Suarez lives with her husband. This is her second marriage. Dr. Rodriguez Suarez does not have any children due to her conditions.

Dr. Rodriguez Suarez's husband works from home four of five weekdays a week so he is able to assist with her activities of daily living. When Dr. Rodriguez Suarez's husband is at work, she is accompanied by her friend.

Dr. Rodriguez Suarez earned approximately \$65,000 annually while working at Syracuse University.

Dr. Rodriguez Suarez is currently receiving \$829 monthly from Social Security. Dr. Rodriguez Suarez had been receiving LTD benefits in the amount of \$2,300 monthly from the Standard.

### **EDUCATIONAL AND VOCATIONAL HISTORY**

Dr. Rodriguez Suarez has a bachelor of music degree in music education and a master's degree in music education from the Hart School of Music, University of Hartford. Dr. Rodriguez Suarez also holds a doctor of philosophy in music education from the University of Toronto. Dr. Rodriguez Suarez has a Level III Orff-Schulwerk Teacher Training certificate and a Kodaly Certificate from the Kodaly Musical Training Institute. Dr. Rodriguez Suarez was awarded an Artist-Teacher Certificate by the Association for Choral Music Education and holds a Creating Artistry Conductors Workshop Level III Certificate.

Most recently, Dr. Rodriguez Suarez served as an Assistant Professor, Teaching and Leadership/Music Education for Syracuse University. Dr. Rodriguez Suarez averaged about seventy college students a semester at Syracuse University.

In 2010, Dr. Rodriguez Suarez no longer had the stamina to stand and teach for three hour classes due to extreme weakness, severe head pain, difficulty speaking and swallowing, and dropping items out of her left hand.

Dr. Rodriguez Suarez began working for Syracuse University in August 2006. Prior to this, Dr. Rodriguez Suarez worked as a music teacher for the International School at Dundee, Glenville Elementary School in Greenwich, CT and Pine Grove Elementary School in Avon, CT. Dr. Rodriguez Suarez has also published several books and articles on music and education.

Specifically, Dr. Rodriguez Suarez published one book in 2005 and is nearly done with a second book but has not completed it to get published due to her conditions. In 2002 and 2003, Dr. Rodriguez Suarez became extremely active with her website for Singing Canaries, which is dedicated to preserve and promote the culture, especially the music and traditions, of the people of the Canary Islands and Spain. Dr. Rodriguez Suarez did the design-build from ground up but the website came to a complete stop in 2010 when her symptoms significantly worsened.

Dr. Rodriguez Suarez describes herself as a Type-A personality who loved her profession. Dr. Rodriguez Suarez still hears from several of her students and remains devastated she can no longer work in any teaching capacity.

Dr. Rodriguez Suarez's position most closely relates to the following:

DOT: **090.227-010**TITLE(s): **Assistant Professor**

Conducts college or university courses for undergraduate or graduate students: Teaches one or more subjects, such as economics, chemistry, law, or medicine, within prescribed curriculum. Prepares and delivers lectures to students. Compiles bibliographies of specialized materials for outside reading assignments. Stimulates class discussions. Compiles, administers, and grades examinations, or assigns this work to others. Directs research of other teachers or graduate students working for advanced academic degrees. Conducts research in particular field of knowledge and publishes findings in professional journals. Performs related duties, such as advising students on academic and vocational curricula, and acting as adviser to student organizations. Serves on faculty committee providing professional consulting services to government and industry. May be designated according to faculty rank in traditional hierarchy as determined by institution's estimate of scholarly maturity as Associate Professor (education); Professor (education); or according to rank distinguished by duties assigned or amount of time devoted to academic work as Research Assistant (education); Visiting Professor (education). May teach in two-year college and be designated Teacher, Junior College (education); or in technical institute and be designated Faculty Member, Technical Institute (education). May be designated: Acting Professor (education); Assistant Professor (education); Clinical Instructor (education); Instructor (education); Lecturer (education); Teaching Assistant (education).

Notably, O\*NET lists this position as 25-1121.00, Art, Drama, and Music Teacher, Postsecondary

#### Tasks

- Explain and demonstrate artistic techniques.
- Evaluate and grade students' class work, performances, projects, assignments, and papers.
- Initiate, facilitate, and moderate classroom discussions.
- Prepare course materials such as syllabi, homework assignments, and handouts.
- Maintain student attendance records, grades, and other required records.
- Prepare students for performances, exams, or assessments.
- Prepare and deliver lectures to undergraduate or graduate students on topics such as acting techniques, fundamentals of music, and art history.
- Plan, evaluate, and revise curricula, course content, course materials, and methods of instruction.
- Compile, administer, and grade examinations, or assign this work to others.
- Keep abreast of developments in the field by reading current literature, talking with colleagues, and participating in professional conferences.

#### Skills

- Speaking — Talking to others to convey information effectively.



- Instructing — Teaching others how to do something.
- Active Learning — Understanding the implications of new information for both current and future problem-solving and decision-making.
- Active Listening — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- Learning Strategies — Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things.
- Reading Comprehension — Understanding written sentences and paragraphs in work related documents.
- Time Management — Managing one's own time and the time of others.
- Monitoring — Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action.
- Critical Thinking — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.
- Writing — Communicating effectively in writing as appropriate for the needs of the audience.

O\*Net Online, Summary Report for 25-1121.00 – Art, Drama, and Music Teachers, Postsecondary

As The Standard paid Dr. Rodriguez Suarez full benefits based on the own occupation definition of disability, it is not currently in question whether she can return to her own occupation. Notwithstanding, this Consultant notes that Dr. Rodriguez Suarez would have obtained the above skills while working in her own occupation.

### **TRANSFERABLE SKILLS ANALYSIS**

The Transferable Skills Analysis (“TSA”) prepared by Jack Reynolds identifies four occupations that Dr. Rodriguez Suarez can perform based on Dr. Arnold Kaminer’s medical review dated September 24, 2012 determining that Dr. Rodriguez Suarez has full time sedentary work capacity. Mr. Reynolds notes that an acceptable salary level for Dr. Rodriguez Suarez is in excess of \$3,491.69 per month.

### **Occupational Alternatives According to Jack Reynolds**

**Education Director**  
DOT No. 099.227-042  
Strength: Sedentary

Plans, develops, and administers educational program of museum, zoo, or similar institution: Confers with administrative personnel to decide scope of program to be offered. Prepares schedules of classes and rough drafts of course content to determine number and background of instructors needed. Interviews, hires, trains, and evaluates work performance of education department staff. Contacts and arranges for services of guest lecturers from academic institutions, industry, and other establishments to augment

education staff members in presentation of classes. Assists instructors in preparation of course descriptions and informational materials for publicity or distribution to class members. Prepares budget for education programs and directs maintenance of records of expenditures, receipts, and public and school participation in programs. Works with other staff members to plan and present lecture services, film programs, field trips, and other special activities.

General Educational Development:

Reasoning Skills (GED-R-6): Apply principles of logical scientific thinking to a wide range of intellectual and practical problems. Deal with nonverbal symbolism in its most difficult phases. Deal with a variety of abstract and concrete variables. Grasp the most abstruse classes of concepts.

Mathematical Skills (GED-M-6)

Advanced calculus: Work with limits, continuity, real number systems, mean value theorems, and implicit function theorems.

Modern algebra: Apply fundamental concepts of theories of groups, rings, and fields. Work with differential equations, linear algebra, infinite series, advanced operations methods, and functions of real and complex variables.

Statistics: Work with mathematical statistics, mathematical probability, and applications, experimental design, statistical inference, and econometrics.

Language Skills (GED-L-5)

Reading: Read literature, book and play reviews, scientific and technical journals, abstracts, financial reports, and legal documents.

Writing: Write novels, plays, editorials, journals, speeches, manuals, critiques, poetry, and songs.

Speaking: Conversant in theory, principles, and methods of effective and persuasive speaking, voice and diction, phonetics, and discussion and debate.

Aptitudes: General Learning Ability, Verbal, Numerical and Clerical Perception skills are all above average.

Mr. Reynolds noted that in light of Dr. Rodriguez Suarez's degrees and teaching experience, she would qualify for a position as education director.

Notably, this Consultant has reviewed this DOT information and notes that while Mr. Reynolds lists this as Education Director and as a sedentary occupation, the title is actually Resource Teacher and it is a light occupation requiring the ability to exert force to 20 lbs. occasionally or 10 lbs. frequently, or negligible force constantly. A light position may involve significant standing, walking, pushing and/or pulling. Clearly, Dr. Rodriguez Suarez cannot complete a light occupation and such an occupation should not have been considered for Dr. Rodriguez Suarez because it is not consistent with Mr. Reynolds own analysis regarding Dr. Rodriguez Suarez's abilities.

Further, Dr. Rodriguez Suarez received benefits for her own occupation, which was also classified as light. It has already been determined that Dr. Rodriguez Suarez cannot perform work that is classified as light. Accordingly, this occupation is not appropriate for Dr. Rodriguez Suarez and should not have been identified in this TSA as being a suitable alternative.

**Eligibility Worker**

DOT No. 195.267-010

Strength: Sedentary

Interviews applicants or recipients to determine eligibility for public assistance: Interprets and explains rules and regulations governing eligibility and grants, methods of payment, and legal rights to applicant or recipient. Records and evaluates personal and financial data obtained from applicant or recipient to determine initial or continuing eligibility, according to departmental directives. Initiates procedures to grant, modify, deny, or terminate eligibility and grants for various aid programs, such as public welfare, employment, and medical assistance. Authorizes amount of grants, based on determination of eligibility for amount of money payments, food stamps, medical care, or other general assistance. Identifies need for social services, and makes referrals to various agencies and community resources available. Prepares regular and special reports as required, and submits individual recommendations for consideration by supervisor. Prepares and keeps records of assigned cases.

Reasoning Skills (GED-R-4): Apply principles of rational systems to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Interpret a variety of instructions furnished in written, oral, diagrammatic, or schedule form.

Mathematical Skills (GED-M-3): Compute discount, interest, profit, and loss; commission, markups, and selling price; ratio and proportion, and percentages. Calculate surfaces, volumes, weights, and measures.

Algebra: Calculate variables and formulas, monomials and polynomials; ratio and proportion variables; and square roots and radicals.

Geometry: Calculate plane and solid figures, circumference, area, and volume. Understand kinds of angles, and properties of pairs and angles.

Language Skills (GED-L-4):

Reading: Read novels, poems, newspapers, periodicals, journals, manuals, dictionaries, thesauruses, and encyclopedias.

Writing: Prepare business letters, expositions, summaries, and reports, using prescribed format, and conforming to all rules of punctuation, grammar, diction, and style.

Speaking: Participate in panel discussions, dramatizations and debates. Speak extemporaneously on a variety of subjects.

Aptitudes: General Learning Ability, Verbal, and Clerical Perception skills are all above average.

Position Qualifications: Eligibility Worker is a skilled occupation that generally requires from 1 to 2 years of prior education, training, and/or related experience. New employees generally train on the job, working under the close supervision of more experienced employees.

Mr. Reynolds concluded that Dr. Rodriguez Suarez's degrees, as well as her college level teaching experience have demonstrated that she has verbal communication skills and aptitudes to qualify for this occupation.

It is this Consultant's opinion that while Dr. Rodriguez Suarez has the verbal communication skills and aptitudes to qualify for this occupation, Dr. Rodriguez Suarez's education, training and experience will not make her a competitive candidate for this position, nor is it an appropriate occupation based on her training, education and experience, and her extensive teaching and music skills. Notably, this position is outside the education field and many of the tasks outlined above in connection with Dr. Rodriguez Suarez's own occupation would not transfer to this position. Dr. Rodriguez Suarez has no experience interpreting or discussing rules and regulations, or determining benefits eligibility. Dr. Rodriguez Suarez's work in academia would not prepare her for this type of work. Further, a potential employer would not consider her a competitive candidate based on her training, education and experience.

#### **Instructional Coordinator**

DOT No. 099.167-014

Strength: Sedentary

Plans and coordinates educational policies for specific subject area or grade level: Develops programs for in-service education of teaching personnel. Confers with federal, state, and local school officials to develop curricula and establish guidelines for educational programs. Confers with lay and professional groups to disseminate and receive input on teaching methods. Reviews and evaluates curricula for use in schools and assists in adaptation to local needs. Interprets and enforces provisions of state education codes and rules and regulations of State Board of Education. Conducts or participates in workshops, committees, and conferences designed to promote intellectual, social, and physical welfare of students. Studies and prepares recommendations on instructional materials, teaching aids, and related equipment. Prepares or approves manuals, guidelines, and reports on state educational policies and practices for distribution to school districts. Advises school officials on implementation of state and federal programs and procedures. Conducts research into areas, such as teaching methods and techniques. May perform tasks at local school district or as independent consultant in area of expertise. May be designated as consultant in specific area, such as reading, elementary education, or audio-visual education.

Reasoning Skills (GED-R-6): Apply principles of logical scientific thinking to a wide range of intellectual and practical problems. Deal with nonverbal symbolism in its most

difficult phases. Deal with a variety of abstract and concrete variables. Grasp the most abstruse classes of concepts.

**Mathematical Skills (GED-M-6)**

Advanced calculus: Work with limits, continuity, real number systems, mean value theorems, and implicit function theorems.

Modern algebra: Apply fundamental concepts of theories of groups, rings, and fields. Work with differential equations, linear algebra, infinite series, advanced operations methods, and functions of real and complex variables.

Statistics: Work with mathematical statistics, mathematical probability, and applications, experimental design, statistical inference, and econometrics.

**Language Skills (GED-L-5)**

Reading: Read literature, book and play reviews, scientific and technical journals, abstracts, financial reports, and legal documents.

Writing: Write novels, plays, editorials, journals, speeches, manuals, critiques, poetry, and songs.

Speaking: Conversant in theory, principles, and methods of effective and persuasive speaking, voice and diction, phonetics, and discussion and debate.

Aptitudes: Verbal and Clerical skills are superior. General Learning Ability and Numerical skills are above average.

Position Qualifications: This is a highly-skilled occupation. The minimum educational requirement in most instructional coordinator positions in public schools is a Master's degree (usually in Education) plus a State teacher license.

Mr. Reynolds noted that Dr. Rodriguez Suarez has her master's degree and is licensed by the state of Connecticut. Mr. Reynolds concluded that Dr. Rodriguez Suarez has an excellent understanding of how to teach groups of students and has the expertise in developing educational materials. Further, Dr. Rodriguez Suarez possesses strong interpersonal and communication skills all of which qualify her for employment in this occupation.

**Instructor, Correspondence/Distance Learning**

DOT No. 099.227-014

Strength: Sedentary

Plans course of study for students enrolled in correspondence courses to obtain high school, college, or other specialized subject area instruction: Reviews enrollment applications and oversees mailing of course materials to students. Corrects, grades, and comments on lesson assignments submitted by students; corresponds with students to answer questions pertaining to course.

Some instructors use the Internet to teach courses to students at remote sites. These so-called "distance learning" courses are an increasingly popular option for students who



work while attending school. Faculty who teach these courses must be able to adapt existing courses to make them successful online or design a new course that takes advantage of the format.

Reasoning Skills (GED-R-5): Apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions. Interpret an extensive variety of technical instructions, in books, manuals, and mathematical form. Deal with several abstract and concrete variables.

Mathematical Skills (GED-M-3)

Compute discount, interest, profit, and loss; commission, markups, and selling price; ratio and proportion, and percentages. Calculate surfaces, volumes, weights, and measures.

Algebra: Calculate variables and formulas, monomials and polynomials; ratio and proportion variables; and square roots and radicals.

Geometry: Calculate plane and solid figures, circumference, area, and volume. Understand kinds of angles, and properties of pairs and angles.

Language Skills (GED-L-5)

Reading: Read literature, book and play reviews, scientific and technical journals, abstracts, financial reports, and legal documents.

Writing: Write novels, plays, editorials, journals, speeches, manuals, critiques, poetry, and songs.

Speaking: Conversant in theory, principles, and methods of effective and persuasive speaking, voice and diction, phonetics, and discussion and debate.

Aptitudes: General Learning Ability, Verbal and Numerical skills are above average.

Mr. Reynolds concluded that in light of Dr. Rodriguez Suarez's degrees and teaching experience, she would qualify for a position as a correspondence/distance learning instructor at the post secondary level.

It is this Consultant's opinion that Dr. Rodriguez Suarez would not be able to perform either of the above occupations.

This Consultant has reviewed each of the positions suggested by Mr. Reynolds in detail. It is this Consultant's opinion, based on her review of the DOT and related vocational resources, Dr. Rodriguez Suarez's medical records and 30 years of experience working in the vocational rehabilitation field that these positions are completely inappropriate for Dr. Rodriguez Suarez even assuming that she is capable of performing sedentary work, which Dr. Rodriguez Suarez is not based on the medical records reviewed and this Consultant's extensive communication with her regarding her severe restrictions and limitations.

Specifically, Dr. Nahm confirmed the weakness and fatigue alone that Dr. Rodriguez Suarez experiences would prevent her from working. Dr. Rodriguez Suarez takes two

daily naps during typical working hours, about an hour long each. Further, Dr. Rodriguez Suarez experiences exacerbations that leave her unable to get out of bed for an entire day or more, on a regular basis, as often as 10+ days per month. Dr. Nahm further notes that Dr. Rodriguez Suarez has a complex medical history with symptoms that include upper and lower extremity weakness, unremitting fatigue, difficulty chewing and swallowing, shortness of breath, headaches, and severe diarrhea, nausea and vomiting.

Notably, the severity and constant nature of Dr. Rodriguez Suarez's headaches would preclude her from engaging in any of the occupations identified by Mr. Reynolds since they all require significant above average or superior skills and aptitudes including, for example, General Learning Ability, Verbal and Numerical Skills. Also, the reasoning, math and language skills required for each of the identified occupations require significant cognitive function that Dr. Rodriguez Suarez is not capable of performing due to the severity of her medical conditions and continued aggressive treatment, including an October 2014 shunt revision and continued medical care at Johns Hopkins.

In sum, based on the totality of the circumstances, this Consultant finds that Dr. Rodriguez Suarez is unable to perform any of the occupations identified by Mr. Reynolds due to her inability to perform even sedentary work capacity.

#### **VOCATIONAL OPINION**

It has never been in question whether Dr. Rodriguez Suarez is able to perform the essential duties of her own occupation as The Standard paid her full LTD benefits under the own occupation definition of disability.

It is this Consultant's opinion that Dr. Rodriguez Suarez cannot perform any occupation in the competitive marketplace. Specifically, Dr. Rodriguez Suarez cannot perform even sedentary work. According to the Dictionary of Occupational Titles, sedentary work is exerting up to 10 lbs. of force occasionally and/or a negligible amount of force frequently to lift, carry, push and/or pull. Sedentary work involves sitting most of the time, but may involve walking or standing for brief periods of time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.

According to Dr. Rodriguez Suarez's treating physicians, she does not have the stamina to perform even sedentary work on a regular basis. Dr. Rodriguez Suarez becomes fatigued with even minimal exertion. Notably, both Dr. Nahm and Dr. Edelman reported Dr. Rodriguez Suarez's inability to continue working on a computer for more than a half hour at a time due to severe exhaustion. Dr. Rodriguez Suarez is experiencing multiple and severe symptoms from her numerous conditions. Most limiting are Dr. Rodriguez Suarez's muscle weakness, fatigue, and painful and debilitating headaches.

#### **SUMMARY AND CONCLUSIONS**

It is the opinion of this Consultant that Dr. Rodriguez Suarez would not be able to maintain full time employment in any occupation commensurate to her training,

education and experience in the competitive marketplace. In speaking with Dr. Rodriguez Suarez and reviewing all pertinent medical records provided, it is apparent that she would continue to work if she were physically and cognitively able to. Prior to the onset of her symptoms, Dr. Rodriguez Suarez seemed very active in the academic community and was passionate about her field. Specifically, Dr. Rodriguez Suarez published one book and several articles about education and music, and was in the process of completing a second book. In addition, Dr. Rodriguez Suarez created and maintained a website dedicated to music in her homeland, the Canary Islands, to bring her love of music to an even greater audience.

It is clear to this Consultant that Dr. Rodriguez Suarez is extremely intelligent, passionate about her profession and hard working. Dr. Rodriguez Suarez describes herself as a Type-A personality and it is evident to this Consultant that this illness has been devastating to her both professionally and personally.

Dr. Rodriguez Suarez's treating physicians and medical providers clearly document and confirm that Dr. Rodriguez Suarez is completely disabled from any occupation due to seronegative myasthenia and idiopathic intracranial hypertension, as well as her related symptoms and other conditions. Dr. Rodriguez Suarez continues to experience severe headaches, dysphagia, fatigue, muscle weakness, diarrhea, shortness of breath and confusion that impair her ability to ambulate, focus and concentrate, and continues to be a high risk for falling.

Dr. Edelmann commented extensively on Dr. Rodriguez Suarez's severe limitations as a result of her conditions. Specifically, the weakness and fatigue that Dr. Rodriguez Suarez suffers renders her totally disabled. Dr. Rodriguez Suarez continues to suffer from flares in her condition that leave her bedridden as many as 12 days a month but never less than 4. Dr. Edelmann opined that were Dr. Rodriguez Suarez to attempt a full day of work, she would inevitably have a flare the next day. Further, Dr. Rodriguez Suarez cannot stand for long periods of time. Dr. Rodriguez Suarez cannot work at a computer for more than 15-20 minutes. Dr. Rodriguez Suarez ambulates with a cane due to her unsteadiness and has fallen a few times a month. Finally, Dr. Rodriguez Suarez's headaches have been more frequent and worse.

Lastly, it is evident to this Consultant that Dr. Rodriguez Suarez's conditions have significantly worsened since 2010 as evidenced by her medical records. Dr. Rodriguez Suarez remains to have less than sedentary work capacity and based on her continued aggressive treatment and ongoing care her prognosis remains extremely guarded. Notably, Dr. Rodriguez Suarez has been receiving Social Security Disability Benefits since the onset of her conditions.

Thank you for the opportunity to be of assistance. If you require any additional information or have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Peiser Leopold".

Amy Peiser Leopold MS, CRC  
Disability Management Consultant

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# Amy Peiser Leopold

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## Experience

1996–Present Self-Employed Scarsdale, NY

### **Disability Management Consultant**

- Provide vocational and rehabilitation services to recipients of Long Term Disability benefits including job seeking and job placement services.
- Provide vocational expert testimony to Social Security Offices of Hearings and Appeals.
- Provide expert testimony to attorneys specializing in disability law.

1987–1996 UNUM Life Insurance Co. Tarrytown, NY

### **Rehabilitation Manager–LTD Benefits, Mid Atlantic Benefits Region**

- Managed a regionally based rehabilitation program that provided return to work and stay at work assistance directly to claimants.
- Provided disability management consulting services to large clients.
- Provided direct and coordinated services to claimants, including vocational counseling, vocational testing, job-seeking skills assistance, and job placement assistance.
- Provided return to work assistance with current/previous employers, including job modification and ADA compliance assistance.
- Responsible for hiring, training, and supervising three Rehabilitation Coordinators.
- Presented Disability Management Services on sales calls nationwide.

### **Rehabilitation Coordinator**

- Responsible for regionally based rehabilitation program designed to assist claimants in returning to work and provided stay at work services.
- Participated in recruiting, hiring, and training of new staff.

1985–1987 N.E. Rehabilitation Hospital Woburn, MA

### **Referral Specialist/Marketing Liaison Inpatient Chronic Pain Unit**

1985-1986 J.B. Thomas Hospital Peabody, MA

### **Program Coordinator Options**

1984–1985 Associates Quincy, MA

### **Vocational Specialist**

## Education

Boston University, Masters of Science, Rehabilitation Counseling, 1984  
Boston University, Bachelors of Science, Rehabilitation Services, 1983  
Certified Rehabilitation Counselor # 18432